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Andrew S. Johnston, Executive Secretary
Maryland Public Service Commission
6 St. Paul Street, 16th Floor
Baltimore, MD 21202

Re: Case No. 9748: Application of Baltimore Gas and Electric Company for a Certificate of Public Convenience and Necessity for the Brandon Shores Retirement Mitigation Project

Dear Executive Secretary Johnston:

I am writing on behalf of PJM Interconnection, L.L.C. (“PJM”) to respectfully request that the Maryland Public Service Commission (“Commission”) promptly complete its review of the Public Utility Law Judge’s March 19, 2026 Proposed Order¹ addressing Baltimore Gas and Electric Company’s (“BGE”) July 11, 2024 application for a Certificate of Public Convenience and Necessity, and issue a Final Order on the Proposed Order and related appeals by August 20, 2026, or sooner if practicable. PJM respects the Commission’s important role in reviewing the application and appreciates the significance of the issues before it. However, because the timing of the Commission’s decision has direct implications for electric reliability in the PJM Region, PJM submits this letter to explain why timely Commission action is important to maintaining the reliability of the bulk electric system. Additionally, BGE has indicated that additional delays of a final order beyond August 20, 2026, will likely result in increased project costs and further hinder its ability to meet the projected December 31, 2028 in-service date.

Background

PJM is the Federal Energy Regulatory Commission (“FERC”)-approved Regional Transmission Organization (“RTO”) that is responsible for planning and operating the bulk electric system throughout the PJM Region. As part of that responsibility, PJM administers FERC-approved planning processes designed to maintain the continued reliability of the PJM transmission system.

Following an April 6, 2023 notice from Talen Energy Corp. (“Talen Energy”) that it intended to deactivate the Brandon Shores units in Maryland (Units 1 and 2, totaling 1,273MW) (“Brandon Shores”) by June 1, 2025, PJM initiated and expedited the reliability analyses required under its FERC-accepted Open Access Transmission Tariff (“Tariff”) to determine whether the proposed deactivation would adversely affect the reliability of the transmission system. Those

¹ See The Application of Baltimore Gas and Electric Company for a Certificate of Public Convenience and Necessity, Case No. 9748, Proposed Order of Public Utility Law Judge (Mar. 19, 2026) (“Proposed Order”).

analyses identified severe voltage drop and thermal violations across seven PJM zones – particularly under N-1-1 contingency conditions – which could lead to a widespread voltage collapse in Baltimore, Maryland and the immediately surrounding areas absent transmission system reinforcements.

Based on those analyses, PJM and BGE – the affected Transmission Owner – identified the Brandon Shores Mitigation Project, which is the subject of the above-captioned proceeding, as the set of transmission system reinforcements necessary to resolve the violations. As part of its analysis, PJM also evaluated whether other transmission solutions, non-transmission alternatives, or operating measures could adequately address the identified reliability violations, but ultimately found that the alternatives were insufficient to address the severe and widespread reliability violations. The PJM Board of Managers (“PJM Board”) approved the Brandon Shores Mitigation Project as Immediate-Need Reliability Projects in July 2023. PJM determined that the transmission reinforcements were required to be in-service by the requested June 1, 2025 deactivation date for the Brandon Shores units. Although the project could not be completed by that required in-service date, it is currently projected to be placed in service by December 31, 2028.² That projected in-service date already reflects the time required to complete permitting, siting, and construction activities. Accordingly, any additional delay in obtaining the necessary approvals increases the risk that the December 31, 2028 projected in-service date cannot be achieved.

Shortly after the PJM Board approved the Brandon Shores Mitigation Project, in October 2023, Talen Energy also announced its intent to deactivate the H.A. Wagner units in Maryland (Units 3 and 4, totaling 702 MW) (“Wagner”), also by June 1, 2025. PJM evaluated the reliability impacts of that proposed deactivation and determined that the reliability needs resulting from the combined deactivation of the Wagner and Brandon Shores units would be addressed through the already-selected Brandon Shores Mitigation Project as well as transmission reinforcements selected in the 2022 RTEP Window #3 competitive window process. Accordingly, PJM determined that the continued operation of both the Wagner units and the Brandon Shores units would be necessary under reliability must run (“RMR”) arrangements until the Brandon Shores Mitigation Project could be placed into service. Although Talen Energy initially agreed to keep the Brandon Shores and Wagner units in service under RMR arrangements through May 31, 2029, Talen Energy recently requested, pursuant to the terms of a previously-approved settlement agreement, to extend the term of those arrangements to May 31, 2031.³ In supporting that request, PJM explained that continued operation of those units is necessary due, in part, to uncertainty

² Under PJM’s planning process, the *required* in-service date reflects the date by which transmission facilities are needed to address identified reliability violations. The *projected* in-service date reflects the current estimate for when those facilities can reasonably be placed into service, taking into account permitting, siting, engineering, procurement, construction, and other implementation activities.

³ Following PJM’s request pursuant to the parties’ settlement agreement, the owners of the Wagner and Brandon Shores units submitted filings at the Federal Energy Regulatory Commission (“FERC”) requesting approval of a two-year extension of their respective RMR arrangements. The extension request was supported by an amendment to the settlement agreement executed by all setting parties, including this Commission. *See H.A. Wagner LLC*, Errata to Request to Amend H.A. Wagner Continuing Operations Rate Schedule, Attachment A, Docket No. ER26-2739-001 (June 8, 2026) (May 28, 2026 Letter from PJM to Wagner and Brandon Shores requesting extension of the RMR arrangements). *See* FERC Docket Nos. ER26-2739 and ER26-2740.

regarding the timing of completion of needed transmission upgrades, including the Brandon Shores Mitigation Project.⁴

The Reliability Need Remains

The transmission system conditions that gave rise to the Brandon Shores Mitigation Project not only continue to exist, but in several respects, have become more pronounced. PJM has previously explained that Maryland requires additional transmission and generation resources to maintain reliable electric service and has emphasized the importance of constructing transmission infrastructure to address the State's reliability needs.⁵ Historically, Maryland has imported about 40% of its annual electric needs from other states, while the high voltage electric transmission system in the central and eastern parts of the states have limited access to existing transmission infrastructure. This means that Maryland has been increasingly relying on the transmission system to provide and maintain the reliable supply of power to all Maryland ratepayers. Further exacerbating issues in Maryland, the state's future electric demand is growing, while at the same time generators are retiring due to a mixture of economic and policy justifications and without replacement generation in place. As the system continues to integrate load and as more generation sources retire – and, more importantly, as the existing, aging generation assets, specifically inside Maryland, surpass their useful service life – the load inside Maryland and across the PJM Region will become exposed to an elevated risk level under higher likelihood of major generation outages that will likely take long times from which to recover or restore the transmission system.

Additionally, PJM's ongoing RTEP planning analyses have continued to validate PJM's original determination that the Brandon Shores Mitigation Project is necessary to maintain reliable operation of the PJM transmission system. Specifically, since identifying the Brandon Shores Mitigation Project, PJM has continued to evaluate the reliability of the transmission system through its ongoing RTEP planning process. Those analyses – including the analyses for 2022 RTEP Window 3, 2024 RTEP Window 1, and 2025 RTEP Window 1, as well as the analyses conducted to support the extension of the Brandon Shores and Wagner RMR arrangements into 2031 – have consistently confirmed the continuing need for the Brandon Shores Mitigation Project and the importance of maintaining the Brandon Shores and Wagner RMR arrangements until the needed permanent transmission solution is completed. As previously explained, the current projected in-service for the project is December 31, 2028. Any additional delay in obtaining the approvals necessary to move the project forward risks further delaying the Project's completion and extending reliance on temporary operational measures.

Moreover, the Proposed Order recognized the continuing reliability need underlying the Brandon Shores Mitigation Project and recommended approval of the requested Certificate of

⁴ See *id.* See also PJM, Presentation at the Special Members Committee Meeting, at slide 7 (May 27, 2026), <https://www.pjm.com/-/media/DotCom/committees-groups/committees/mc/2026/20260527-special-rmr/item-01---2-brandon-shores-12-and-wagner-34-deactivation-and-rmr---presentation.pdf>.

⁵ See PJM, Maryland Needs Energy Infrastructure Fact Sheet (2026), <https://www.pjm.com/-/media/DotCom/about-pjm/newsroom/fact-sheets/md-needs-energy-infrastructure-fact-sheet.pdf>.

Public Convenience and Necessity.⁶ While the Commission considers the pending appeals, nothing that has occurred since the close of the evidentiary record has reduced the underlying need for the Brandon Shores Mitigation Project. Prompt Commission action is needed to allow the necessary transmission work to proceed without further delay. Because the Brandon Shores Mitigation Project is currently projected to be placed in service by December 31, 2028, additional delay in the permitting process increases the risk that even that projected in-service date cannot be achieved.

Recent and Current System Operating Experiences Reinforce the Need for Prompt Action

Actual operating experience since the Brandon Shores Mitigation Project was approved demonstrates that the underlying system constraints continue to affect system operations and require operational measures pending completion of the Project.

Most recently, during the heat waves experienced across the PJM footprint (June 29-July 5, 2026 and July 15-16, 2026), the combined Maryland and Washington D.C. load import level exceeded 4 GW, even with approximately 2,000 MW of capacity from the Brandon Shores and Wagner units available to support system reliability, and with all other Maryland and Washington, D.C. area generation and Demand Response committed. This represented the second-highest import level observed during conditions approaching PJM's summer peak load, second only to Virginia during the same period. Those conditions also resulted in significant locational marginal price separation, producing tens of millions of dollars in additional costs for transmission customers in the BGE and PEPCO zones due to limited transmission import capability. These operating conditions illustrate the continued transmission constraints affecting Maryland and Washington, D.C., and underscore the need for the transmission upgrades associated with the Brandon Shores Mitigation Project.

Recent operating experience likewise demonstrates that PJM's continued reliance on temporary operational measures to maintain reliability pending completion of the project. Since 2025, the U.S. Department of Energy has issued multiple emergency orders under Federal Power Act ("FPA") section 202(c) authorizing continued operation of Wagner unit 4 beyond applicable environmental operating limitations in response to PJM's requests.⁷ In addition, since the Brandon Shores and Wagner units entered RMR status, PJM has increasingly relied on those facilities to maintain reliable system operations. These operational measures reflect PJM's continuing determination that the Brandon Shores and Wagner units remain necessary to maintain reliability until the Brandon Shores Mitigation Project is placed into service.

⁶ See Proposed Order at 56 ("The [Brandon Shores Mitigation Project] was identified by PJM as necessary to resolve widespread and severe thermal and voltage violations, that if not addressed, could negatively impact the reliability and stability of BGE's electric system. The record supports that BGE has demonstrated the necessity of the Project to address the reliability issues identified by PJM, and that of all the options considered, the Project is the most cost-effective solution").

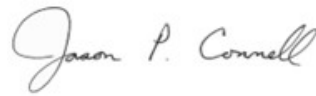
⁷ See, DOE Order No. 202-26-25 ([July 28, 2025](#); [October 24, 2025](#); [May 21, 2026](#)).

Taken together, these recent operating experiences, along with Maryland's persistently high import levels, demonstrate that the transmission system continues to experience the types of conditions that led PJM to identify the Brandon Shores Mitigation Project as needed for reliability. Although temporary operational measures, including continued operation of the Brandon Shores and Wagner units under RMR arrangements, have enabled PJM to maintain reliable system operations, those measures are not intended, and should not be relied on, to replace the permanent transmission solution identified through PJM's FERC-accepted transmission planning process. Continued reliance on these temporary measures is particularly unsustainable given the age of the Brandon Shores and Wagner facilities and the increasing congestion costs resulting from limited transmission capability into the BGE and PEPCO zones serving Maryland and Washington, D.C.

Conclusion

As described above, PJM's planning analyses and subsequent operating experiences continue to confirm the need for the Brandon Shores Mitigation Project. Further delay in this proceeding risks delaying the Project's current projected December 31, 2028 in-service date and extending reliance on temporary reliability measures and postpone the permanent transmission solution. Accordingly, PJM respectfully requests that the Commission issue a Final Order in this proceeding as expeditiously as possible.

Respectfully submitted,



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